

Application Serial No. 10/735,561 (Atty. Ref. No. PC25627A)
Amendment dated October 9, 2008
Reply to Office action dated April 10, 2008

REMARKS

Claims 7, 9, 11, and 12 are currently pending. All pending claims stand rejected under 35 U.S.C. §103(a) as being unpatentable over Bryans et al., WO 99/21824 (Atty Ref. No. PC17322) in view of Beers et al., *The Merck Manual of Diagnosis and Therapy*, 17th Ed., pages 481-482 ("Merck"). Claims 7, 9, 11, and 12 stand provisionally rejected on the grounds of nonstatutory obviousness-type double patenting as being unpatentable over claim 16 of copending U.S. Patent Application No. 10/935,824 ("the '824 application"; Atty Ref. No. PC25972A) in view of Beers et al.; claim 2 of copending U.S. Patent Application No. 11/675,389 ("the '389 application"; Atty Ref. No. PC25026B) in view of Beers et al.; and claim 21 of copending U.S. Patent Application No. 11/688,001 ("the '001 application"; Atty. Ref. No. PC25026F) in view of Beers et al. Claims 7, 9, 11, and 12 stand rejected on the grounds of nonstatutory obviousness-type double patenting as being unpatentable over claims 1 and 9 of Bryans et al., U.S. Patent No. 6,635,673 ("the '673 patent"; Atty Ref. No. PC17322) in view of Beers et al.

Reconsideration is respectfully requested of the rejection and provisional rejection of claims 7, 9, 11, and 12 as noted above. These claims have been cancelled, rendering moot their rejection. Applicants reserve the right to file one or more continuing applications directed to the cancelled subject matter.

New claims 17-19 have been added. Support for these claims may be found, for example, at pages 8 and 9 of the subject specification. No new matter has been added by these claims.

Applicants submit that the present invention is now in condition for allowance. Allowance of all pending claims is respectfully solicited.

Respectfully submitted,



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